

Fig. 3

Applicants thank the examiner for suggesting how to amend Fig. 3, namely showing the air dampers (with no other changes). Applicants propose amending Fig. 3 accordingly.

Heiz Reference

The undersigned submits that the Heiz reference was inadvertently listed in the PTO-1449. This reference was never meant by applicants to be prior art. Moreover, the PTO-1449's reference to the date of "6-96" is incorrect. The Heiz reference actually is the German priority patent application (filed November 8, 1996) of the co-pending application identified previously. Applicants already submitted a certified copy of the Heiz reference. Accordingly, applicants request the examiner to cross out the Heiz reference from the PTO-1449.

Enclosed is a copy of the published version (DE 196 46 123 A1) of the Heiz reference. As the examiner can see, the Heiz reference was published May 14, 1998, after the § 102(e) date (filing date) of the present application. Accordingly, the Heiz reference is not a viable prior art.

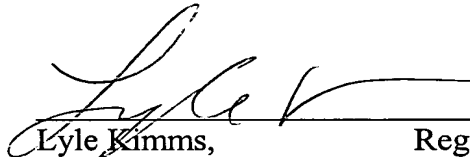
If the examiner intends to maintain the same rejection based on the co-pending application, applicants will submit a certified English translation of the present priority application to perfect priority and antedate the co-pending application.

Since it appears that the pending rejections are primarily based on the Heiz reference (or the co-pending application), and the present application has an earlier effective filing date, applicants submit that the applied rejections are deemed moot.

Should the examiner intend to rely on the co-pending application, the examiner is urged to contact the undersigned as soon as possible so that applicants can obtain and submit a certified English translation of its priority German application to perfect priority.

Respectfully submitted,

Date: March 22, 2000



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#14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Oliver BECK, *et al.*

Serial No.: 09/121,702 (CPA)

Filed: July 24, 1998

For: HEATING OR AIR CONDITIONING
SYSTEM FOR A MOTOR VEHICLE

Group Art Unit: 3743

Examiner: J. Ford

Attorney Docket No.: 16906/183

Assistant Commissioner for Patents
Washington, D.C. 20231

PROPOSED DRAWING AMENDMENT
FOR EXAMINER'S APPROVAL

Sir:

Enclosed for the examiner's approval is a copy of Fig. 3 with red ink markings showing the proposed changes.

Respectfully submitted,

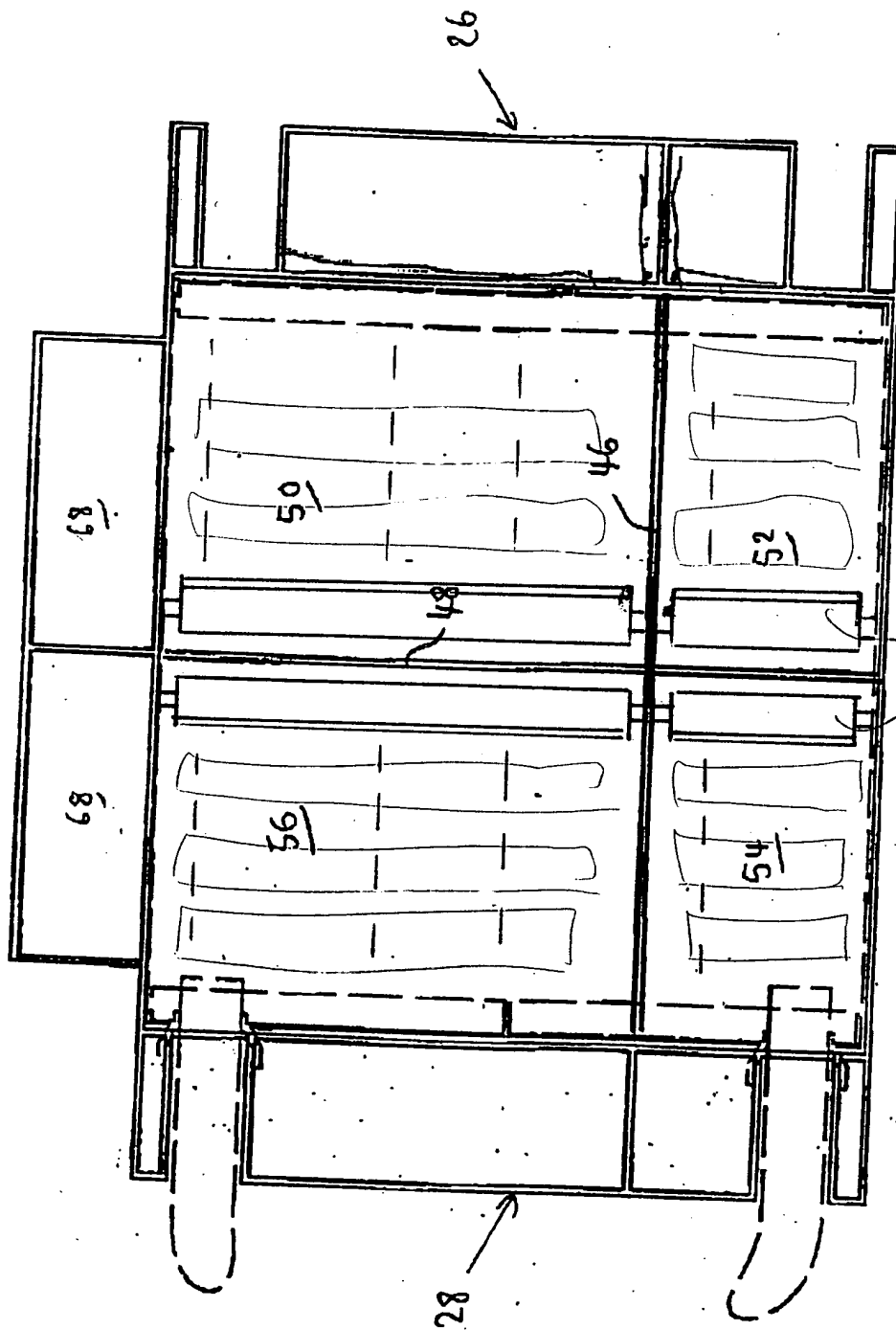
Date: March 22, 2000


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part of Paper #44.



repeat in the formal drawing

Fig. 3

Approved